
STATUTORY INSTRUMENTS

1991 No. 1395

The Family Proceedings Courts (Children Act 1989) Rules 1991

PART II

GENERAL

Transfer of proceedings

6.—(1) Where, in any relevant proceedings, the justices' clerk or the court receives a request in writing from a party that the proceedings be transferred to another family proceedings court or to a county court, the justices' clerk or court shall issue a certificate in the appropriate form in Schedule 1 to these Rules, granting or refusing the request in accordance with any Order made by the Lord Chancellor under Part I of Schedule 11.

(2) Where a request is granted under paragraph (1), the justices' clerk shall send a copy of the certificate—

- (a) to the parties,
- (b) to any guardian ad litem, and
- (c) to the family proceedings court or to the county court to which the proceedings are to be transferred.

(3) Any consent given or refused by a justices' clerk in accordance with any Order made by the Lord Chancellor under Part I of Schedule 11 shall be recorded in writing by the justices' clerk at the time it is given or refused or as soon as practicable thereafter.

(4) Where a request to transfer proceedings to a county court is refused under paragraph (1), the person who made the request may apply in accordance with rule 4.6 of the Family Proceedings Rules 1991(1) for an order under any Order made by the Lord Chancellor under Part I of Schedule 11.